



| | | | | | | | | |
|--|--|--|--|--|--|--|--|--|
| | | | | | | | | |
|--|--|--|--|--|--|--|--|--|

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2021/2022

UIL2712 - ISLAMIC LAW I (All Sections / Groups)

23 NOVEMBER 2021

Reading Time : 9.15 a.m. – 9.30 a.m.
(15 Minutes)

Answering Time: 9.30 a.m. – 12.30 p.m.
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 4 pages with 5 Questions only.
3. Attempt **FOUR** out of **FIVE** questions. All questions carry equal marks and the distribution of the marks for each question is given.
4. Students are only allowed to bring in CLEAN AND ORIGINAL COPY of the following statutes into the exam venue :
 - i. Al Quran (English Translation)
“Clean” is defined to include no tagging, no annotation either by the publisher or anyone else, and no erased marking. Highlighting and underlining are also prohibited.
5. Please write all your answers in the Answer Booklet provided.

PART A (ANSWER BOTH QUESTIONS)**QUESTION 1**

Fatwa has become one of the references in the Syariah Court to resolve particular disputes and legal issues.

Discuss the position of the fatwa and mufti's opinion as an authority in judgment of the Syariah court based on reported cases in the Syariah judicial system in Malaysia.

(Total: 25 marks)

QUESTION 2

- a) Istihsan can be applied in the event of a doctor is allowed to look at the private parts of people in medical treatment. The general rule is that it is unlawful to look at private parts, but it is recommended to avert harm.

Explain the principle of Istihsan as a source of Islamic law and its importance.

(12.5 marks)

- b) Describe the views of scholars who validate the application of Istishab (presumption of continuity) as a source of Islamic law and categories.

(12.5 marks)

(Total: 25 marks)

Continued...

PART B (ANSWER TWO (2) QUESTIONS ONLY)**QUESTION 3**

With reference to Al-Quran, solve the following situations by determining the appropriate hukm syarie:-

- a) Nana and Nunu have been best friends since their childhood. One day, Nunu told Nana her dream to open a bakery. Knowing this fact, Nana kindly lent RM 50,000.00 to Nunu as her business capital. Nunu was so overwhelmed with Nana's assistance and promised to repay the loan money once her business becomes profitable. Unfortunately, Nana was tragically killed in an accident before Nunu could settle the debt. Nana's sister, Nini, wishes to claim the debt from Nunu.

(9 marks)

- b) Bank Bomi is a so-called Islamic financial institution which offers a wide range of banking and financial services including loans and mortgages. In terms of loan repayment, the bank imposes an increase in the value of debt to every borrower, due to extended payment time, should the borrower fail to pay on time. It is their policy to charge interest and additional fees if the borrower is unable to repay the loan within a certain period.

(8 marks)

- c) Ahmad grows up in a family that is very committed to Islamic beliefs and values. Every day, he transfers a certain amount of money to *Ikhlas Foundation*, a non-governmental organisation (NGO) that focuses on the well-being of orphans in Malaysia. He constantly prays that by doing this thing, he would be able to help those orphans to have greater access to education and a brighter future.

(8 marks)

(Total: 25 marks)

Continued...

QUESTION 4

- a) Kassim is an active member and author of one socialist club at his university. One day, he wrote an article that Al Quran is the only source in Islamic law that Muslims should follow. It was mentioned further in the article that the Sunnah of Prophet Muhammad (PBUH) is contradicting the Quran and could not be relied upon as a source of Islamic jurisprudence. His article ignited a debate and he was arrested soon after.

Based on the above, prepare arguments on the necessity to follow the Sunnah of Prophet Muhammad (PBUH).

(12.5 marks)

- b) What are the different types of Hadiths? Illustrate each Hadith based on the chain of transmission and its authenticity.

(12.5 marks)

(Total: 25 marks)

QUESTION 5

- a) Abu found a wallet with money in his office toilet, not knowing to whom it belongs; he afterwards discovered that it belongs to Zakaria, his office colleague. He intended to return the wallet and the money, but later that day he decided not to return them and appropriated it for his own use.

Based on the above, solve the situation based on the concept of Qiyas.

(8 marks)

- b) Siti and Hamid known each other through Facebook. They have been communicating online for one year and later fell in love. Hamid's parents went to her to ask for her hands in marriage and the proposal was rejected by her father. Siti and Hamid eloped and got married in Thailand. They never registered the marriage and stayed together until Hamid died due to heart attack after one year. Siti found out that Hamid had another wife and 2 children. She argued that she is entitled to get part of his inheritance property to the Syariah court.

Based on the above, solve the situation based on the concept of Maslahah Mursalah.

(9 marks)

Continued...

- c) When Amir completed his study in England, he refused to return to Malaysia to work with his father as he wanted to gain working experience overseas. He came back to Malaysia after five years of working in England when he was informed that his father had a heart attack and was hospitalised. Amir visited his father and had a heated argument with him. His father called him as an insolent child because of his rejection to work with him. His father said that he plan to drop Amir's name from his Will and that he would not get any cents from him in the event of his death. Amir was worried and angry upon hearing it. He decided to hire a professional killer to kill his father before his father could revoke his name from the Will. His father was found dead after he was poisoned. Amir was arrested later by the police.

(*Note: Amir is the only child in the family).

Based on the above, solve the situation based on the concept of Qiyas.

(8 marks)

(Total: 25 marks)

End of page